

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. David M. Longo on 02/09/10.

2. The application has been amended as follows:

IN THE CLAIMS:

Claim 17, line 15, the limitation "channels is subject to failure." has been replaced by --- channels is subject to failure;

providing in said communication network a plurality of ring structures;

associating said at least two protection channels to two respective different rings of said plurality of rings; and

providing non-preemptible unprotected traffic carried on non preemptible channels in said network as well as non-preemptible channels protected by a sub-network connection protection scheme,

wherein said extra traffic is ensured an intermediate level of availability between the levels of protection provided by said non preemptible channels and by said non-preemptible channels protected by said sub-network connection protection scheme. ---.

Claim 20, line 4, the limitation “non-coextensive paths in said ring.” has been replaced by --- non-coextensive paths in said at least one ring structure including non-coextensive paths. ---.

Claim 22, line 1, the limitation “The method of claim 21” has been replaced by ---
The method of claim 17 ---.

Claim 23, line 1, the limitation “The method of claim 21” has been replaced by ---
The method of claim 17 ---.

Claim 25, line 14, the limitation “channels is subject to failure.” has been replaced
by --- channels is subject to failure;

a plurality of ring structures and wherein said at least two protection channels are
associated to two respective different rings of said plurality of rings; and

wherein at least one of the at least two protection channels is adapted to provide
non-preemptible unprotected traffic carried on non preemptible channels in said network
as well as non-preemptible channels protected by a sub-network connection protection
scheme, and

wherein said extra traffic is ensured an intermediate level of availability between
the levels of protection provided by said non preemptible channels and by said non-
preemptible channels protected by said sub-network connection protection scheme. ---.

Claim 30, line 1, the limitation “The network of claim 29” has been replaced by ---
The network of claim 25 ---.

Claim 31, line 1, the limitation “The network of claim 29” has been replaced by ---
The network of claim 25 ---.

Claim 32, line 4, the limitation “any one of claims 17 to 24.” has been replaced by --- any one of claims 17 to 20, 22, and 23. ---.

Claims 21, 24, and 29 have been cancelled.

Allowable Subject Matter

3. The following is an examiner’s statement of reasons for allowance:

Regarding claim 17, the prior art fails to teach a combination of the steps of:
providing non-preemptible unprotected traffic carried on non preemptible channels in said network as well as non-preemptible channels protected by a sub-network connection protection scheme, wherein said extra traffic is ensured an intermediate level of availability between the levels of protection provided by said non preemptible channels and by said non-preemptible channels protected by said sub-network connection protection scheme, in the specific combination as recited in the claim.

Regarding claim 25, the prior art fails to teach a combination of the steps of:
wherein at least one of the at least two protection channels is adapted to provide non-preemptible unprotected traffic carried on non preemptible channels in said network as well as non-preemptible channels protected by a sub-network connection protection scheme, and wherein said extra traffic is ensured an intermediate level of availability between the levels of protection provided by said non preemptible channels and by said non-preemptible channels protected by said sub-network connection protection scheme, in the specific combination as recited in the claim.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TOAN D. NGUYEN whose telephone number is (571)272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. D. N./
Examiner, Art Unit 2472

/William Trost/
Supervisory Patent Examiner, Art Unit 2472

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